

STATE OF SOUTH CAROLINA
COUNTY OF Oconee
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2022CP3700182

Dorothy Pierce
PLAINTIFF(S)

Edwards Group Holdings Inc et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

After in-camera review of the Privilege Log and submitted correspondence between Mr. McDuff and his client, Journal Reporter Riley Morningstar, the Court finds that such information is privileged and shall not be subject to discovery by the Plaintiff.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 03/22/2023 .

Kenan G Loomis for Richard Hunt McDuff,MJM Law LLC
Dorothy Pierce for Dorothy Pierce
Maxwell S Mishkin for Edwards Group Holdings Inc,The Journal Newspaper,Riley Morningstar,Jerry Edwards,Edwards Printing,Hal Welch
Chad R Bowman for Edwards Group Holdings Inc,The Journal Newspaper,Riley Morningstar,Jerry Edwards,Edwards Printing,Hal Welch
MJM Law LLC for Kenan G Loomis
Richard Hunt McDuff for Kenan G Loomis
Hal Welch for Chad R Bowman,Maxwell S Mishkin
Edwards Printing for Chad R Bowman,Maxwell S Mishkin
Jerry Edwards for Chad R Bowman,Maxwell S Mishkin
Riley Morningstar for Chad R Bowman,Maxwell S Mishkin
The Journal Newspaper for Chad R Bowman,Maxwell S Mishkin
Edwards Group Holdings Inc for Chad R Bowman,Maxwell S Mishkin
Dorothy Pierce for Dorothy Pierce

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

RECEIVED
Sep 25 2023
SC Court of Appeals

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Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Oconee Common Pleas

Case Caption: Dorothy Pierce VS Edwards Group Holdings Inc , defendant, et al

Case Number: 2022CP3700182

Type: Order/Electronic Form 4

s/R. Scott Sprouse, Judge #2752

Tenth Judicial Circuit

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF OCONEE)	TENTH JUDICIAL CIRCUIT
)	
DOROTHY PIERCE,)	
Plaintiff,)	CASE NO.: 2022-CP-3700182
V.)	
JERRY EDWARDS; EDWARDS)	
GROUP HOLDINGS; EDWARDS)	
PRINTING; RICHARD HUNT)	
MCDUFF; MJM LAW,LLC; RILEY)	
MORNINGSTAR; THE JOURNAL)	
NEWSPAPER; AND HAL WELCH,)	
Defendants.		

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SC Court of Appeals

**MOTION TO RECONSIDER AN ORDER ON AN IN-CAMERA REVIEW OF
CORRESPONDENCE BETWEEN DEFENDANTS RICHARD HUNT MCDUFF AND
RILEY MORNINGSTAR.**

COMES NOW Plaintiff Dorothy Pierce, proceeding Pro Se, and files this motion for reconsideration on the order of honorable Spouse rendered on March 22, 2023.

FACTUAL BACKGROUND

On January 27, 2023, the court held a hearing on motions to compel filed by the plaintiff and defendants, presided by judge Sprouse.

The Court signed an order on February 13, 2023, detailing five items to be complied with by parties in this litigation. In this instance, the court ordered that the defendants submit all documents they claimed were privileged logs to the presiding judge for an in-camera review within 30 days.

Subsequently, the defendants submitted the communications between Richard Hunt McDuff and defendant Riley Morningstar as privileged.

On March 22, 2023, the Court ruled that “*After in-camera review of the Privilege Log and submitted correspondence between Mr. McDuff and his client, Journal Reporter Riley Morningstar, the Court finds that such information is privileged and shall not be subject to discovery by the Plaintiff.*”

The plaintiff contends that there is no evidence of an attorney-client relationship between Riley Morningstar and Richard Hunt McDuff. In their defamatory publications, defendant Richards Hunt McDuff did not provide legal advice to the Riley Morning star on the issues pertaining to the defamatory publications. Instead, defendant Richard Hunt McDuff used his friendship with defendant Riley Morningstar to publish the said defamatory articles to help the case of his other client Jared Adam Pierce.


Furthermore, according to the Journal defendants’ response to the plaintiff’s interrogatories, Defendant Richard Hunt McDuff provided all articles to be published. He was a source. The plaintiff further avers that communication between Richard Hunt McDuff and Riley Morningstar is not protected by Qualified privilege. The South Carolina General Assembly adopted a shield law as Act No. 138 of 1993. The Act became effective upon the signature of the governor on June 14, 1993. The enactment is codified as S.C. Code Ann. §19-11-100 (Supp. 2001) and provides: (A) A person, company, or entity engaged in or that has been engaged in the gathering and dissemination of news for the public through a newspaper, book, magazine, radio, television, news or wire service, or other medium has a qualified privilege against disclosure of any information, document, or item obtained or prepared in the gathering or dissemination of

news in any judicial, legislative, or administrative proceeding in which the compelled disclosure is sought and where the one asserting the privilege is not a party in interest to the proceeding. In this case, both defendants are not protected by the shield privilege because he is named in the lawsuit.

Plaintiff, therefore, moves this court to set aside the current order and reconsider the decision to compel the Defendants to hand over all communications between defendants Richard Hunt McDuff and Riley Morningstar.

Date: April 03, 2023

Respectfully Submitted,



Dorothy Pierce- Plaintiff Pro se

CERTIFICATE OF SERVICE

I certify that on April 03, 2023, I served the foregoing Motion to reconsider to Defendants utilizing electronic mail and First-Class US Certified Mail, with appropriate postage thereon, upon all parties of record, as follows.

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Kenan G. Loomis

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